

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF OKLAHOMA**

(1) ALYSSA MERKELY, <i>et al.</i> ,)	
Plaintiffs,)	
)	
v.)	Case No.: 21-cv-429-HE
)	
(1) STATE OF OKLAHOMA, <i>ex rel.</i> ,)	
BOARD OF REGENTS OF)	
UNIVERSITY OF CENTRAL)	
OKLAHOMA, <i>ex rel.</i> , UNIVERSITY’S)	
OFFICE OF STUDENT CONDUCT,)	
)	
Defendant.)	

**UNOPPOSED MOTION FOR EXTENSION OF TIME
TO RESPOND TO DEFENDANT’S MOTION TO DISMISS**

Plaintiff respectfully moves this Court to extend their time to respond to DEFENDANT’S MOTION TO DISMISS [Doc. 6] for an additional two weeks until **Wednesday, July 14, 2021**.

In support of this motion, and per LCvR7.1(h), Plaintiff would show:

1. The date the act is due to occur without the requested extension is Wednesday, June 30, 2021. This request is being made before the before the originally prescribed period has expired. Defendant’s motion was filed on June 9, 2021.¹
2. No other previous motions for extensions have been made.

¹ LCvR7.1(g) (“**Timing of Response Briefs.** Each party opposing a motion shall file a response within 21 days after the date the motion was filed.”).

3. The specific reason for the requested extension is that there are a number of Plaintiff parties involved. Counsel needs to confer with them prior to either submitting a response on their behalf, or finalizing negotiations and getting approval of any settlement.

A. The parties have continued to pursue settlement of the case and believe that significant progress has been made.

B. Also, a recent decision from Supreme Court of the United States, *Mahanoy Area Sch. Dist. v. B. L. by & through Levy*, 594 U. S. ____ (2021) (also found at 2021 WL 2557069 and decided June 23, 2021), needs to be evaluated as part of Plaintiffs' response.

4. Defendant does not oppose this extension of time.

5. This extension would not have any impact on any trial or other deadlines in this matter, because those have not been scheduled yet.

6. The precise relief requested by this unopposed motion for extension of time is an additional fourteen (14) days to respond to Defendant's Motion to Dismiss, making Plaintiffs' response to said motion due July 14, 2021.

Respectfully submitted,

/s/ Carl Hughes

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CERTIFICATE OF SERVICE

I hereby certify that on this 28th day of June 2021, I electronically transmitted the foregoing document to the Clerk of Court using the ECF System for filing.

I further that a true and correct copy of the foregoing document was sent via the ECF System to the counsel of record:

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